

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

EDMAR FINANCIAL COMPANY, LLC; IRISH
BLUE & GOLD, INC.; and XTX MARKETS
LIMITED,

Plaintiffs,

v.

CURRENEX, INC.; GOLDMAN SACHS & CO.
LLC; HC TECHNOLOGIES, LLC; STATE
STREET BANK AND TRUST COMPANY;
STATE STREET GLOBAL MARKETS
INTERNATIONAL LIMITED; and JOHN DOE
DEFENDANTS 1-5,

Defendants.

Case No. 1:21-cv-06598 (LAK)

**JOINT STIPULATION AND [PROPOSED] ORDER
REGARDING PLAINTIFFS' SECOND AMENDED COMPLAINT**

WHEREAS, on January 6, 2022, Plaintiffs Edmar Financial Company, LLC, Irish Blue & Gold, Inc., and XTX Markets Limited (together, “Plaintiffs”) filed an amended class action complaint (the “Amended Complaint”) against Defendants Currenex, Inc., State Street Global Markets International Limited, Goldman Sachs & Co. LLC, HC Technologies, LLC, State Street Bank and Trust Company (collectively, “Defendants”), and John Doe Defendants 1-5 (Dkt. No. 41);

WHEREAS, on March 18, 2022, Defendants filed motions to dismiss the Amended Complaint (Dkt. Nos. 53, 56), which the Court granted in part and denied in part in an Opinion issued on May 18, 2023 (the “Opinion”) (Dkt. No. 83);

WHEREAS, pursuant to the Opinion, Defendant State Street Global Markets International Limited (“SS Global”) was dismissed from the action, while Defendants Currenex, Inc., Goldman

Sachs & Co. LLC, HC Technologies, LLC, and State Street Bank and Trust Company remain in the action;

WHEREAS, on June 16, 2023, pursuant to the Opinion, Plaintiffs sought leave to file a Proposed Second Amended Complaint, Exhibit 1 to Dkt. No. 90, (the “Second Amended Complaint”) (Dkt. Nos. 89, 90);

WHEREAS, Plaintiffs’ contend the new allegations in Plaintiffs’ Proposed Second Amended Complaint pertain to this Court’s jurisdiction over Street Global Markets International Limited (“SS Global”); and

WHEREAS, there has been no prior request for an extension of Defendants’ response deadlines in this action since Plaintiffs sought leave to file the Second Amended Complaint.

NOW, THEREFORE, IT IS HEREBY STIPULATED AND AGREED, by and among the undersigned counsel for the signatory parties, subject to the Court’s approval, that:

1. Defendants do not oppose Plaintiffs’ filing of the Second Amended Complaint, reserving any and all other rights in respect thereof.

2. Neither the filing of this Stipulation nor the terms thereof shall constitute an admission of any of the allegations in, or waiver of defenses to, the Second Amended Complaint, including, without limitation, as to whether SS Global is subject to the personal jurisdiction of this Court (which it expressly denies).

3. Defendants other than SS Global will answer the Second Amended Complaint, which will be deemed filed as of the date of this Order, by August 17, 2023. SS Global will answer or otherwise respond to the Second Amended Complaint by the same day. Any motion to dismiss will not seek to re-litigate issues already resolved by the Court’s prior Opinion.

4. If SS Global moves to dismiss the Second Amended Complaint, the parties will meet and confer concerning a briefing schedule.

5. Nothing in this stipulation prevents any party from seeking further extensions on the consent of the parties or from the Court.

IT IS SO ORDERED.

DATED: _____

THE HONORABLE LEWIS A. KAPLAN
UNITED STATES DISTRICT JUDGE

Dated: July 6, 2023
New York, New York

QUINN EMANUEL URQUHART &
SULLIVAN, LLP

/s/ Jeremy D. Andersen

Daniel L. Brockett
Steig D. Olson
Christopher M. Seck
51 Madison Avenue, 22nd Floor
New York, New York 10010
Telephone: (212) 849-7000
Facsimile: (212) 849-7100
Email: danbrockett@quinnemanuel.com
Email: steigolson@quinnemanuel.com
Email: christopherseck@quinnemanuel.com

Jeremy D. Andersen (*pro hac vice*)
865 South Figueroa Street, 10th Floor
Los Angeles, California 90017
Telephone: (213) 443-3000
Facsimile: (213) 443-3100
Email: jeremyandersen@quinnemanuel.com

RUDDY GREGORY, PLLC

Mark Ruddy
1225 15th Street NW
Washington, DC 20005
Telephone: (202) 797-0762
Facsimile: (202) 318-0543
Email: rnruddy@ruddylaw.com

*Counsel for Plaintiffs and the Proposed
Class*

ROPES & GRAY LLP

/s/ Gregg L. Weiner

Gregg L. Weiner
Alexander B. Simkin
1211 Avenue of the Americas
New York, New York 10036
Telephone: (212) 596-5000
Facsimile: (212) 596-9090
Email: gregg.weiner@ropesgray.com
Email: alexander.simkin@ropesgray.com

Robert G. Jones (*pro hac vice*)
800 Boylston Street
Boston, Massachusetts 02199
Telephone: (617) 951 7000
Facsimile: (617) 951 7050
Email: robert.jones@ropesgray.com

Samer Musallam (*pro hac vice*)
2099 Pennsylvania Avenue NW
Washington, DC 20006
Telephone: (202) 508-4600
Facsimile: (202) 508-4650
Email: samer.musallam@ropesgray.com

*Counsel for Defendants Currenex, Inc., State
Street Global Markets International Limited,
and State Street Bank and Trust Company*

KATTEN MUCHIN ROSENMAN LLP

/s/ Peter G. Wilson

Peter G. Wilson
Christian T. Kemnitz
Elliott M. Bacon
Hannah O. Koesterer
525 W Monroe Street
Chicago, IL 60661
Telephone: (312) 902-5200
Email: peter.wilson@katten.com
Email: christian.kemnitz@katten.com
Email: elliot.bacon@katten.com
Email: hannah.koesterer@katten.com

Counsel for Defendant HC Technologies, LLC

CLEARY GOTTlieb STEEN &
HAMILTON LLP

/s/ Carmine D. Boccuzzi Jr.

Carmine D. Boccuzzi Jr.
Rishi N. Zutshi
One Liberty Plaza
New York, NY 10006
Telephone: (212) 225-2000
Email: cboccuzzi@cgsh.com
Email: rzutshi@cgsh.com

*Counsel for Defendant Goldman Sachs & Co.
LLC*

I, Gregg L. Weiner, am the ECF user whose username and password are being used to file this JOINT STIPULATION AND [PROPOSED] ORDER REGARDING PLAINTIFFS' SECOND AMENDED COMPLAINT. I hereby represent that all signatories to this document have concurred in this filing.

Dated: July 6, 2023
New York, New York

ROPES & GRAY LLP

/s/ Gregg L. Weiner

Gregg L. Weiner